

### REMARKS

Claims 1-3, 9, 10, 12, 16, 18, 23, 26, 28-31, 33-35, 38-44, 47, 49-51, 53-54, 57, 59, 62, 64, 68-72, 75, 78, 80, 82, 83, 85, 89-96, 98, 100-102, 105, 106, 108-110, 113, and 125 are pending in this application. All pending claims have been rejected, and three claims, *e.g.*, 28, 47, and 75 have been objected to.

By this amendment and remarks, correction has been made to claims 28, 47, and 75 as required, typographical errors have been corrected in claims 70, 78, and 83, and the following arguments are presented why the claim rejections should be withdrawn.

#### Claim Objections

Claims 28, 47, and 75 are objected to because they depend upon cancelled claims. Claims 28 and 47 depend from independent claim 26, and claim 75 depends from dependent claim 71. Appropriate correction has been made.

### CLAIM REJECTIONS

For the Examiner's convenience, Applicants note that the pending independent claims are claims 1, 26, 68, 69, 70, 94, and 125. The claim rejections may be summarized as shown in the following table, which follow the Examiner's groupings. Each of these groupings will be addressed in turn. The page number where the discussion begins for each group is shown in the chart. A general discussion of the Waytena et al reference precedes the remarks on specific claims.

Independent Claims	Dependent Claims	Statutory Basis	Cited Reference(s)	Discussed Starting on Page
1, 69, 70	10, 16, 18, 23, 83, 85, 89*, 90-93	102(b)	Waytena et al	21
94, 125	95, 96, 98, 102, 105, 106	102(b)	Helbling	27
	2,3,9,12, 71, 72, 75, 78, 80, 89	103(a)	Waytena/Helbling	30
26, 68	28*, 29, 30, 31, 33, 34, 35, 38, 39, 40, 41, 42, 43, 44, 47, 49, 50, 51, 57, 59, 62, 64	103(a)	Waytena/Errato	32
	28, 53, 54, 82	103(a)	Waytena/Helbling/Errato	36
	100, 101, 108, 109, 110, 113	103(a)	Helbling/Waytena	36

\*No explanation was given by the Examiner for the 102(b) rejection of claim 89, or the 103(a) rejection of claim 28.

#### **GENERAL REMARKS REGARDING WAYTENA ET AL**

Independent claim 1, 69, and 70 stand rejected under 102(b) as being anticipated by Waytena et al, US 5,978,770, and independent claims 26 and 68 stand rejected under 103(a) as obvious over Waytena et al, and further in view of Errato (US 5,890,323). Accordingly, we first present general remarks about the Waytena et al reference.

The disclosure in Waytena et al is directed to management of patron reservations for individual attractions at an amusement park, using wireless personal communication devices. In solving this problem, Waytena et al opted for distributed processing by multiple separate attraction computers, each assigned to and controlling only a single

individual attraction. As explained in the Background, the disclosure was intended to avoid what they perceived as the impracticality of “central management of the queuing and scheduling process.” C. 1, ll. 57-58. In so doing, Waytena et al therefore explicitly teach away from central management of the queuing and scheduling process. This is in distinction to the present invention, which requires central management.

For example, the Waytena et al disclosure is only of separate attraction computers. While there is a central computer, its sole purpose is for managing the system, and not for patron control of reservations:

In one embodiment of the system, there is provided . . . a plurality of attraction computers, *each associated with one of the attractions*. . . . A central attraction control interface permits amusement park staff to monitor and modify the reservation information for the various attractions. C.2, ll. 49-56.

. . . .

A plurality of attraction computers 101 is provided, each associated with a particular attraction. C. 5, l. 4.

The only embodiments disclosed are of these separate attraction computers, with *no disclosed interconnection between them*. Even when the attraction computers are physically located together, they are clearly independent:

In one embodiment these attraction computers are implemented as components of a single computer system or group of computer systems. Each component may be a *distinct processor or processing node* within the computer or group. In another embodiment, each attraction computer is implemented as a separate computer and may be physically disposed at or near its associated attraction. (emphasis added) C. 5, ll. 5-10.

Each attraction computer must maintain separate and in many respects duplicative information:

*Each attraction computer* 101 maintains information describing the

associated attraction, including general static information such as the attraction's capacity, throughput, description of the attraction, height and weight requirements for patrons, geographic location, hours of operation, and the like. (emphasis added) c. 5, ll. 33-38.

The individual reservation requests are transmitted directly from the PCD's to the individual attraction computers, not to a single central computer:

A PCD receives user input from the patron requesting a reservation for a *particular attraction*. The reservation is filtered by the PCD to determine its validity. If the request is valid, it is transmitted *to the corresponding attraction computer* via the wireless network. (emphasis added) c. 3, ll. 11-15.

A central computer is provided, but its disclosed operation is limited to management functions by park staff:

Central attraction control interface 104 is implemented in one embodiment as a conventional centralized computer system allowing access to all attraction computers 101 *by park staff*. Interface 104 facilitates monitoring of virtual and physical queues for all attractions, as well as reservation schedules and other information describing the state of the attractions. Interface 104 also allows park staff to manually change the data describing any of the individual attractions, such throughput estimates, hours of operation, reservation schedules, attraction information, and any other information stored in attraction computers 101, as needed. (emphasis added) c. 6, ll. 16-26

In keeping with the highly distributed nature of the disclosed system, the reservations are kept locally, on the individual PCDs in local reservation information module 206, and not at a central computer:

Local reservation storage 206 maintains information describing pending and confirmed reservations for the patron. It is advantageous to maintain

this information locally in PCD 102 so that reservation alerts and other operations may be performed *without necessitating communication with an attraction computer 101*. c. 9. ll. 21-26.

This is fundamentally different from the central system of the present invention. As taught in the present disclosure, central control allows for optimization of scheduling, which is extremely difficult, if not even possible in Waytena et al. If a patron has current reservations but wishes to make additional reservations, the Waytena et al system does not check to reschedule the entire schedule to put forth the most optimal schedule.

“This means that, if the patron has a 12:00 PM reservation for Attraction 1, and there are other available times, but the only available time for Attraction 2 is 12:00 PM, the patron can only be told that there are no available reservation time slots open for Attraction 2.” Par. 0009

To accomplish such optimization in Waytena et al, the PCD would have to issue iterative requests to individual attraction computers, until an optimum schedule was determined. That would be a complex task, and it is not even taught in Waytena et al.

If a particular attraction needs to be shut down, the distributed system of Waytena et al will notify the individual PCD's and cancel the reservations for that attraction, but it will not calculate an optimum reschedule of other attractions. The central system of the present invention permits that feature. It also permits grouping attractions into categories that reflect popularity. Guests may then be allowed to chose a limited number of attractions from each category. The categories may be based upon geography, popularity, or any other specification designated by the park. Par. 90.

**102(B) REJECTIONS FOR ANTICIPATION BY WAYTENA ET AL****Independent Claim 1**

Independent claim 1 requires:

- an input/output device;
- a maintenance unit linked to said input/output device to store, receive, send, and process data wherein a portion of said processed data is the scheduling of a limited number of active reservations; and
- a controller unit linked to the maintenance unit for directing access into the attraction.

The Examiner has rejected independent claim 1, finding that the attraction computers of Waytena et al. serve as the central maintenance unit, and that the central control interface of Waytena et al serves as the controller unit. Respectfully, Applicant notes that Waytena et al disclose the reverse of these required claim elements.

As explained in detail above, the individual attraction computers of Waytena et al. cannot serve as the central maintenance unit. The individual attraction computers can only schedule a single reservation, for a single attraction. The limitation of claim 1, however, requires that the maintenance unit be able to schedule a plurality of reservations: “scheduling of a limited number of active reservations”. As described in the specification, “The maintenance unit 11 is the central processor and *principal manager of the entire system.*” (emphasis added) Par. 88. The attraction computers of Waytena et al are just the opposite.

Further, the central control interface of Waytena et al cannot be a controller unit. The controller unit is written in functional language, and requires structure that is capable of “directing access into the attraction”. The central control interface of Waytena et al, as explained above, is only a management processor; it does not and cannot control access into individual attractions.

Therefore, Waytena et al is missing two elements of claim 1 and, accordingly, does

not anticipate claim 1. In view of the foregoing, claim 1 is allowable over Waytena.

### **Dependent Claim 10**

As claim 1 is allowable, dependent claim 10 should also be allowed.

### **Dependent Claim 16**

Claim 16 requires, *inter alia*:

a display monitor linked to said controller unit to enable guests to view and access wait times for non-reservation queue and next available times for reservation queues, personal information, and park information.

The Examiner references the display screen 122 on the attraction computer, Figure 1B as meeting this limitation. This display screen on the Waytena et al attraction computer, however, is *not visible to guests*, nor is it configured “to enable guests to view and access wait times for non-reservation queue and next available times for reservation queues, personal information, and park information”. Therefore, claim 16 requires a limitation that is not present in the attraction computer of Waytena et al. Dependent claim 16 should therefore be allowed, or if claim 1 is not also allowed, Applicants respectfully request that the Examiner indicate that claim 16 would be allowable if rewritten in independent form.

### **Dependent Claim 18**

Claim 18 further limits the processor of the controller unit by requiring that it be able “to direct the reservation queue *and* non-reservation queue” (emphasis added). The Examiner has cited to the ability of the central computer in Waytena et al to access the virtual queue in an attraction computer. Waytena et al does not teach, alone or in combination, directing a non-reservation queue. Dependent claim 18 should therefore be allowed, or if claim 16 is not also allowed, Applicants respectfully request that the Examiner indicate that claim 18 would be allowable if rewritten in independent form.

### **Dependent Claim 23**

As claim 16 is allowable, dependent claim 23 should also be allowed.

**Independent Claim 69**

Claim 69 provides:

69. A reservation system for scheduling admission of guests into attractions comprising:
- an input/output device;
  - a maintenance unit linked to the input/output device to store, receive, send and process data wherein a portion of said processed data is processing a guest's schedule to accommodate both previous and current requests; and
  - a controller unit linked to the maintenance unit for directing access into the attraction.

As with Claim 1, the Examiner has rejected independent claim 69, finding that the attraction computers of Waytena et al. serve as the central maintenance unit, and that the central control interface of Waytena et al serves as the controller unit. Applicants repeat their arguments set forth above.

This claim, however, has a further limitation: that the central maintenance unit also is “processing a guest's schedule to accommodate both previous and current requests.” In Waytena et al, the attraction computer (which Examiner cites for this limitation) does not do this. Instead:

Local reservation storage 206 maintains information describing pending and confirmed reservations for the patron. It is advantageous to maintain this information locally in PCD 102 so that reservation alerts and other operations may be performed *without necessitating communication with an attraction computer 101*. (emphasis added) c. 9, ll. 21-26.

For the same reasons as stated with respect to claim 1, claim 69 should be allowed. Further, it should be allowed because Waytena et al, neither alone nor in combination,

teach central processing of a guest's schedule to accommodate both previous and current requests.

### **Independent Claim 70**

Claim 70 provides:

70. A reservation and pre-sale attraction package system for scheduling admission of guests into attractions comprising:  
an input/output device;  
a maintenance unit linked to said input/output device to store, receive, send, and process data wherein a portion of said processed data is the scheduling and sale of a limited number of active reservations; and  
a controller unit linked to the maintenance unit for directing access into the park or specific attraction.

As with Claim 1, the Examiner has rejected independent claim 70, finding that the attraction computers of Waytena et al. serve as the central maintenance unit, and that the central control interface of Waytena et al serves as the controller unit. Applicants repeat their arguments set forth above.

This claim, however, has a further limitation: that the central maintenance unit also is handling “scheduling *and sale* of a limited number of active reservations.” (emphasis added) In Waytena et al, the attraction computer (which Examiner cites for this limitation) does not do this. For the same reasons as stated with respect to claim 1, claim 70 should be allowed. Further, it should be allowed because Waytena et al, neither alone nor in combination, teach central scheduling and sale of a limited number of active reservations.

### **Dependent Claim 83**

Claim 83 further limits the controller of claim 70 with the limitations, *inter alia*, of:

a queue system linked to said controller unit to control entry into the *parking lot* of the park, the park itself, and individual attractions and

further comprises:

a *parking lot queue* for allowing guests who *pre-purchased parking passes*;

a park queue for allowing pre-sale attraction package holders to enter the park without any lines; and

an attraction queue consisting of a reservation queue and a non-reservation queue.

Applicants have examined the cited portion of Waytena et al, c. 1, l. 50, but find no mention of parking lots. We have also electronically searched the disclosure, but find no mention of parking lots. Waytena et al, neither alone nor in combination, teach a controller unit which further comprises a queue system linked to said controller unit to control entry into the parking lot of the park, the park itself, and individual attractions and further comprises: a parking lot queue for allowing guests who pre-purchased parking passes; a park queue for allowing pre-sale attraction package holders to enter the park without any lines; and an attraction queue consisting of a reservation queue and a non-reservation queue.

Dependent claim 83 should therefore be allowed, or if claim 70 is not also allowed, Applicants respectfully request that the Examiner indicate that claim 83 would be allowable if rewritten in independent form.

#### **Dependent Claim 85**

As claim 70 is allowable, dependent claim 85 should also be allowed.

#### **Dependent Claim 89**

Although the Examiner rejects claim 89 under 102(b) as anticipated by Waytena et al., (p. 3), no explanation of the rejection has been given. Applicants respectfully request that the rejection therefore be withdrawn.

#### **Dependent Claim 90**

Dependent claim 90 requires a second barrier device linked to the controller unit

which limits entry into the attraction until the attraction is available (*e.g.*, a further wait for reservation holders), and also limitation to valid reservation *and* pre-sale attraction package holders. Neither of these limitations is taught in Waytena et al. Respectfully, Examiner misunderstands the import of the second barrier. It is not at different attractions, but a second barrier at a single attraction. Dependent claim 90 should therefore be allowed, or if claim 83 is not also allowed, Applicants respectfully request that the Examiner indicate that claim 90 would be allowable if rewritten in independent form, including all limitations of intermediate claims.

#### **Dependent Claim 91**

Dependent claim 91 requires a barrier device linked to the controller unit which limits entry into the attraction until the attraction is available. Respectfully, the passage cited by the Examiner shows a turnstile for counting, not for “limiting entry into the attraction until the attraction is available.” Dependent claim 91 should therefore be allowed, or if claim 83 is not also allowed, Applicants respectfully request that the Examiner indicate that claim 91 would be allowable if rewritten in independent form, including all limitations of intermediate claims.

#### **Dependent Claim 92**

Dependent claim 92 further limits the parking queue of claim 83. As noted above, Applicants have examined the cited portion of Waytena et al, c. 1, l. 50, but find no mention of parking lots. We have also electronically searched the disclosure, but find no mention of parking lots. Claim 92 further requires pre-purchased parking passes, which are not taught nor inherent in Waytena et al. Dependent claim 92 should therefore be allowed, or if claim 83 is not also allowed, Applicants respectfully request that the Examiner indicate that claim 92 would be allowable if rewritten in independent form, including all limitations of intermediate claims.

#### **Dependent Claim 93**

Dependent claim 93 further limits the parking queue of claim 83. As noted above,

Applicants have examined the cited portion of Waytena et al, c. 1, l. 50, but find no mention of parking lots. We have also electronically searched the disclosure, but find no mention of parking lots. Claim 93 further requires pre-sale attraction packages, which are not taught nor inherent in Waytena et al. Dependent claim 93 should therefore be allowed, or if claim 83 is not also allowed, Applicants respectfully request that the Examiner indicate that claim 93 would be allowable if rewritten in independent form, including all limitations of intermediate claims.

### **102(B) REJECTIONS FOR ANTICIPATION BY HELBLING**

The Examiner has rejected independent claims 94 and 125, and dependent claims 95, 96, 98, 102, 105, and 106 as anticipated by Helbling et al US 5,797,126.

#### **Independent Claim 94**

Claim 94 provides:

94. (original) A method for selling a pre-sale attraction package for entrance into a park comprising the steps of:  
selling said pre-sale attraction package prior to the guest's entrance to said park;  
relaying the purchase to a maintenance unit to be processed and updated into the data files of the system;  
relaying the confirmed ticket purchase from the maintenance unit to a controller unit to enable valid pre-sale attraction package holders to gain access into the parking lot, the park, or the individual attraction.

Helbling et al do not teach relaying the confirmed ticket purchase for a package from the maintenance unit to a controller unit to enable valid pre-sale attraction package holders to gain access. The Examiner's cited text, c. 4, ll. 54-55, refers to "updates central station and appropriate back office database to insure that purchased seats are indeed reserved." This is not the entrance control function of a controller unit. Helbling

et al neither alone nor in combination teach relaying the confirmed ticket purchase for a package from the maintenance unit to a controller unit to enable valid pre-sale attraction package holders to gain access into the parking lot, the park, or the individual attraction. Withdrawal of the rejection of claim 94 is therefore earnestly requested.

#### **Dependent Claim 95**

Dependent claim 95 further limits the method of claim 94 by purchases of packages over the telephone, on-line through a website, or the input/output device prior to entering the park. Helbling et al teach away from the use of a telephone, since it is an object of the invention to “make ticket selections and purchases possible without dependence on availability of voice contact.” C. 3, ll. 24-25. Helbling et al neither alone nor in combination teach purchases of packages over the telephone, or on-line through a website. Claim 95 requires that the method permit all three listed modes of purchase, and two are not taught in Helbling et al. Dependent claim 95 should therefore be allowed, or if claim 84 is not also allowed, Applicants respectfully request that the Examiner indicate that claim 95 would be allowable if rewritten in independent form.

#### **Dependent Claim 96**

As claim 94 is allowable, dependent claim 96 should also be allowed.

#### **Dependent Claim 98**

Dependent claim 98 further limits the method of claim 96 by requiring that the input/output device dispenses a guest card used to **access** the guest's data. Helbling et al dispense an information carrier that represents a receipt for the purchase. They do not teach further access of a guest's data. Dependent claim 98 should therefore be allowed, or if claim 96 is not also allowed, Applicants respectfully request that the Examiner indicate that claim 98 would be allowable if rewritten in independent form, including the limitations of all intermediate claims.

#### **Dependent Claim 102**

As claim 94 is allowable, dependent claim 102 should also be allowed.

**Dependent Claim 105**

Dependent claim 105 further limits the method of claim 94 by requiring that purchased pre-sale attraction package data is relayed to the appropriate controller unit. This is in addition to relay of the confirmed ticket purchase. For the same reasons as claim 94, this claim should be allowable, and further because Helbling et al do not teach relay of package data to a controller unit, which is an access unit. Dependent claim 105 should therefore be allowed, or if claim 94 is not also allowed, Applicants respectfully request that the Examiner indicate that claim 105 would be allowable if rewritten in independent form.

**Dependent Claim 106**

Dependent claim 106 further limits the method of claim 94 where purchasers making purchases via the World Wide Web/Internet or through the phone are mailed a guest card enabling the guest to access the parks systems. This is not taught in Helbling et al. The Examiner cites to theater tickets obtained by telephone, c. 2, ll. 8-12, but that refers in the Background to other systems, not to the Helbling et al system. In fact, Helbling et al teach away from the use of a telephone, since it is an object of the invention to “make ticket selections and purchases possible without dependence on availability of voice contact.” C. 3, ll. 24-25. Dependent claim 106 should therefore be allowed, or if claim 94 is not also allowed, Applicants respectfully request that the Examiner indicate that claim 106 would be allowable if rewritten in independent form.

**Independent Claim 125**

Claim 125 requires, *inter alia*, relaying the sale information from the maintenance unit to a controller unit. As noted with regard to claim 94, Helbling et al do not teach relaying the confirmed ticket purchase for a package from the maintenance unit to a controller unit. The Examiner’s cited text, c. 4, ll. 54-55, refers to “updates central station and appropriate back office database to insure that purchased seats are indeed reserved.” This is not the entrance control function of a controller unit. Helbling et al

neither alone nor in combination relaying the sale information from the maintenance unit to a controller unit, the controller unit being an access control unit. Withdrawal of the rejection of claim 125 is therefore earnestly requested.

### **103(A) REJECTIONS WAYTENA ET AL IN VIEW OF HELBLING ET AL**

Sixteen dependent claims stand rejected under Section 103(a) as obvious over Waytena et al in view of Helbling et al, *e.g.*, claims 2, 3, 9, 12, 71, 72, 75, 78, 80, 89, 100, 101, 108, 109, 110, and 113.

#### **Dependent Claims 2, 71**

Dependent claim 2 imposes two limitations on the input/output device which are not found in Waytena et al: (a) a money receiver to enable the input/output device to receive cash and credit card payments; and (b) a printer to print tickets or information from said input/output device. These are found by the Examiner in Helbling et al.

Dependent claim 71 is similar, but also adds a ticketing device linked to the maintenance unit that dispenses a guest card.

The Examiner must show some suggestion or motivation, before the invention itself, to make the new combination. *Ruiz v. A.B. Chance Co.*, 357 F.3d 1270 (Fed. Cir. 2004). The combination of these references would not be obvious to one of ordinary skill in the art, since each teaches away from the other. In Waytena et al there would be absolutely no reason to add a feature to the PCD's to accept money, since they are "given" to patrons after they enter the park. The PCD's are portable and carried inside the park, while the kiosks of Helbling et al are fixed and stationary, outside of the venue. The PCD's are issued after money is paid to enter the park, while the kiosks are used before entry. It is not even clear how cash could be stuffed into a PCD.

Similarly, the PCD's teach away from printing separate tickets. The PCD's replace tickets, c. 21, ll. 42-55, so no one would think to add ticket printing to a PCD.

Also, there would be no reason or motivation to add any feature to dispense guest cards, as the PCD would supplant need for separate guest cards. Guest cards are not tickets, as in Helbling et al. The tickets of Helbling et al cannot have value added to them, as can guest cards, for example.

Dependent claims 2 and 71 should therefore be allowed, or if their respective independent claims are not also allowed, Applicants respectfully request that the Examiner indicate that claims 2 and 71 would be allowable if rewritten in independent form.

**Dependent Claims 3, 9, 72, 75, 78**

Dependent claims 3, 9, 72, 75, and 78 should be allowed, as dependent upon allowable claims.

**Dependent Claims 12, 80**

Claim 12 further limits the maintenance unit of claim 10 by requiring capability of verifying valid ticket holders, using algorithms to compute optimal reservation times and seating capacity, as well as controlling park functions.

Claim 80 is similar, with respect to claim 78.

The Examiner admits that Waytena et al do not disclose these limitations. Helbling et al do not teach use of any algorithms to compute *optimal* reservation times, nor does the computer in Helbling control park functions. Optimal reservations are explained as follows:

“An optimal schedule is one containing the least difference in time between the requesting times and reserved times. The optimal schedule also takes into account attraction to attraction walk times and meal breaks.

Par 89.

....

In yet another embodiment of the present invention, guests may select the desired attraction and preferred attraction time and allow the system to

calculate the optimal schedule. The "optimal" schedule in this case being the least amount of time difference between the requested reservation times and the actual reservation times." Par 90

Dependent claims 12 and 80 should therefore be allowed, or if claim 10 or 78 are not also allowed, Applicants respectfully request that the Examiner indicate that claims 12 and 80 would be allowable if rewritten in independent form, including the limitations of all intermediate claims.

### **Dependent Claim 89**

Claim 89 provides:

89. The system of claim 83, where said display monitor contains multiple screens which may be accessed by guests to obtain personal and park information through said interface device selected from the group consisting of a keyboard, mouse, voice interface, touch screen monitor, or scanner that reads guest cards.

The Examiner only references an audio speaker on the PCD, c.5, ll. 65-66. That is clearly not on point, but Applicants note that a display screen on the PCD is disclosed at that same text reference. The PCD does not meet this limitation, however, as the display must be on the controller unit, and the PCD, as the Examiner argues is the input/output device, not the controller unit. Withdrawal of this rejection is therefore requested.

### **103(A) REJECTIONS WAYTENA ET AL IN VIEW OF ERRATO**

Independent claims 26 and 68, and twenty-two dependent claims stand rejected under Section 103(a) as obvious over Waytena et al in view of Errato US 5,890,323, *e.g.*, claims 28, 29, 30, 31, 33, 34, 35, 38, 39, 40, 41, 42, 43, 44, 47, 49, 50, 51, 57, 59, 62, and 64.

### **Independent Claim 26, Dependent Claim 51**

The Examiner admits that Waytena et al does not disclose working in conjunction

with a non-reservation queue to maximize attraction capacity by filling non-reserved seats with waiting guests, as required by claim 26. (The Examiner also repeats the error noted above of switching the functions of the maintenance unit and controller unit, and the arguments on that point are incorporated herein.)

To similar effect is dependent claim 51.

The Examiner seeks to find this missing step in Errato. The citation is puzzling, because Errato is (1) non-analogous art, (2) not material, and (3) teaches away from filling seats with waiting guests. Applicants suggest that a conference with the Examiner would be helpful to understand why this reference was cited.

Unlike the instant invention, Errato concerns the design of theaters for live entertainment. The theater has side wing modules that can be moved, thereby changing the seating capacity of the theater. Errato is in class 52/6, static structure with stadium or auditorium feature. The present invention is in class 705/5.

Errato does not concern reservations, queues, or filling non-reserved seats with waiting guests. A worker in the art of reservation systems for theme parks would not look to Errato for any solution to the problem of handling multiple queue lines, or for that matter, for handling queue lines at all.

The section of Errato cited by Examiner relates to changing the mood of patrons by changing the size of the auditorium. C. 1, ll. 24-32. This is directly opposite from the way the present invention fills empty seats by letting in more guests. If the problem is empty seats, Errato solves it by shrinking the room. The present invention addresses it by bringing in more patrons. Errato teaches away from bringing in more guests, when it teaches shrinking the room.

Errato does not teach working in conjunction with a non-reservation queue, and it does not teach maximizing attraction capacity by filling non-reserved seats with waiting guests. The missing step is not met by Errato, and withdrawal of the rejection of claims 26 and 51 is requested.

**Dependent Claim 28**

Although the Examiner rejects claim 28 under 103(a) over Waytena et al in voew of Errato, (p. 18), no explanation of the rejection has been given. Applicants respectfully request that the rejection therefore be withdrawn

**Dependent Claims 29, 30, 31, 33, 34, and 35, 39, 41, 43, 44, 47, 49, 50, 53, 54, 57, 59, 62, 64**

Dependent claims 29-31 and 33-35, 39, 41, 43, 44, 47, 49, 50, 53, 54, 57, 59, 62, 64 should be allowed, as dependent upon allowable claims.

**Dependent Claims 38, 40**

As explained above in detail, the limitation of the distributed system in Waytena et al is that it does not have the ability and flexibility of a central system when optimizing guest schedules. That is why Waytena is not a reference that someone of ordinary skill would consider when trying to construct a system in which a schedule is designed to *optimize* the time of the guest based upon the requested attractions enabling the guest to enjoy as many of the requested attractions as possible in the allotted time without any conflicts and with time in between attractions to enjoy other attractions, meals, shops, and shows.

Similarly, Waytena is not a reference that someone of ordinary skill would consider when trying to construct a system in which a maintenance unit evaluates a request for reservations using an algorithm, and where the algorithm is designed to enable the guest to attend as many of the requested attractions with the least amount of time difference from the requested times all within the time frame requested by the guest while adhering to certain predetermined parameters to ensure favorable and maximum usage of the park.

The Examiner cites Waytena c. 15, ll. 23-30, as meeting these limitations by limiting the amount of reservations made at a time. That is not the optimization explained in the specification, as explained previously. Dependent claims 38 and 40 should therefore be allowed, or if claim 26 is not also allowed, Applicants respectfully

request that the Examiner indicate that claims 38 and 40 would be allowable if rewritten in independent form.

### **Dependent Claim 42**

Claim 42 provides:

42. The method in accordance with claim 41, where current reservations can be rescheduled to fit new requests without losing previously confirmed reservations by moving the previously confirmed reservation to a new time and placing the new request into the previously confirmed time slot.

This dependent claim gets at the crux of why Waytena et al works differently from the present invention. A central system can check to reschedule the entire schedule to put forth the most optimal schedule when a change is made, and know to move prior reservations. Without connection between the attraction computers, Waytena et al rely upon the distributed logic in the PCD's. The individual PCD's don't know that there might be optimization by moving a reservation without testing out each possibility by a query to each affected attraction computer. Withdrawal of the rejection is therefore requested.

### **Independent Claim 68**

Claim 68 combines several limitations previously discussed. It requires, *inter alia*, a step of relaying a request to a central processor to be processed and calculated to *optimize* the guest's schedule or reschedule the current schedule to include as many of the requested attractions subject to any limiting predetermined parameters; and the step of working in conjunction with a non-reservation line to maximize attraction capacity by filling non-reserved seats with waiting guests.

Accordingly, all of the arguments presented in support of claims 26, 38, 40, 42, and 51 apply equally here, and are incorporated herein.

**103(A) REJECTIONS WAYTENA ET AL IN VIEW OF ERRATO IN VIEW OF  
HELBLING ET AL**

Four dependent claims stand rejected under Section 103(a) as obvious over Waytena et al in view of Errato, and further in view of Helbling et al, e.g., claims 28, 53, 54, and 82. These dependent claims should be allowed, as dependent upon allowable claims.

**103(A) REJECTIONS HELBLING ET AL IN VIEW OF WAYTENA ET AL**

Six dependent claims stand rejected under Section 103(a) as obvious over Helbling et al in view of Waytena et al, e.g., claims 100, 101, 108, 109, 110, and 113. These dependent claims should be allowed, as dependent upon allowable claims.

**CONCLUSION**

Applicants have earnestly tried to meet the substance of the Examiner's concerns, using the organization of the Examiner's groupings. We recognize that the both the Office Action, and this response are lengthy, and suggest that if there are remaining issues, a telephonic conference would be appropriate. We thank the Examiner for the attention evident in the Office Action.

The Commissioner is hereby authorized to charge the petition for extension of time fee and any additional fees which may be required to Deposit Account Number 19-2090.

Respectfully submitted,  
SHELDON & MAK PC

Date: June 6, 2006

By: /Robert J. Rose/  
Robert J. Rose  
Reg. No. 47,037

Acting in a Representative Capacity  
35 U.S.C. § 1.34

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